

the beginning of our military career, and for fifteen consecutive years we never left each other for a moment.

"We rose in grade at the same time, and received the cross of honor on the same battlefield."

"A difference soon existed between us, however—the married and I remained a bachelor. I always have thought, sir, that there were two conditions in the world in which men should not get married. The soldiers of Christ and those of Caesar, according to my ideas, should have no family but their banner. You laugh, sir?"

"Excuse me," said Arthur.

"I am a priest," continued Mr. Dufresnoy, "and you should not forget it. Dufresnoy left the regiment as often as he could, to spend a few days with his wife."

"He had three children, who were just growing up when the campaign of France recalled us around the flag of the Emperor. The enemy had invaded our beloved country. At Champaubert, Duport was wounded by a musket-ball and fell in my arms. The moment when this dear friend cast upon me his last glance, was for me the bitterest and most solemn moment of my life."

"Friend," said he, "I leave to two daughters behind—they will be handsome, and I leave them without a protector. In you they must find, not another father, but an avenger should they ever be detected and insulted. Swear that you will care their honor at the expense of yours, or of your life, even."

"I pledged my word, and swore to die rather than to allow any harm to be done to those children, and my friend expired in my arms. You know the misfortune that befell France; the country was invaded and fell into the power of foreign masters."

"I left the service and established myself in Paris. I was young and rich. I became attached to a widow as rich as I was, but some years younger. I loved her so passionately that for a time I almost forgot the cruel loss of my friend. I was beloved in turn, and all that I could wish for in this world. A violent sickness deprived me of her on whom all my affections were concentrated."

"This was more than I could bear—God abandoned me in this cruel moment—my friend, my bride, all were lost! What had I to care for in this world? I resolved to leave it."

"What, you thought of suicide?" exclaimed Arthur.

"I reasoned," continued Mr. Dufresnoy, "like all the unfortunate beings who wish to depart this life. I was left alone, abandoned, friendless—self-destruction could not be a crime. Already I had made all final arrangements, and the fatal arm was loaded, when I remembered my oath, and the daughters of my friend Duport whom I had sworn to protect! The weapon dropped from my hands, and I felt not the desire, but the necessity of living, and I spared my own life to fulfill my oath so solemnly made to my dying friend. The hand of God fell upon me—nothing interested me on earth, and I lifted my eyes towards Heaven. This is that I became a priest—a servant of a Master far greater than Caesar or Napoleon. Well, now you know me, Mr. Jerome."

"I do, and I pride myself upon my acquaintance," replied Arthur, warmly pressing in his hands of Mr. Dufresnoy.

"But how did you discover the secret of my acquaintance with Eugene?"

"You see that my estate is contiguous to that of Madame Duport. One night, tired with the thoughts that hovered round my sleepless pillow, I wandered about the park, when chance led me near the house where resides the family of my friend. I saw a window open. A young girl, she is now your wife, first appeared, and was soon followed by a young man—it was Eugene."

"I was a daughter of my friend was lost, and I who had sworn not to watch over this family, but to avenge them, if they were insulted, I remembered my oath and the new obligations which I had contracted. It was possibly that your motives were honorable, but I soon perceived that your visits were less frequent, and she whom you had deceived understood that she had nothing more to expect from you."

"Then began my duty: I was to act or perjure myself. I could not bear the idea of forgetting the word pledged to a dying friend. On the other side, I was a priest and my vows were sacred."

"I consulted a priest like myself, and he shouldered as the more idea of my projects. I had given up the world to follow a Master for whom father, mother, and children should be abandoned."

"My nights were sleepless, and if for a moment I closed my eyelids, I saw Duport, seemingly withholding his last breath, to receive that promise which I testified to fulfill. The habits of my whole life overcame me—I hastened to your house. Let us pass over our two unfortunate encounters. As soon as I learned that your marriage was decided, I went again to the spot, where twice I had been seen in word in hand; at this time I had been humble myself before him when I had conquered; to hear him doubt and dare my courage, and bear the most provoking insults."

"But if I had persisted in refusing to marry Eugene," said Arthur, "what would you have done, Mr. Dufresnoy?"

"Mr. Jerome would have killed you, and the priest would have wept for you the remainder of his life."

Merciless Despotism.

The commissioner at Detroit has decided that he must, under the fugitive law, deliver up the colored man now in jail there even if he produces free papers!

Can this outrage be justified? Ought such a villainous wrong to be tolerated? It has despotism's bloodiest look upon it, and should be wiped off at any cost.

Think of it!

A master in Tennessee tells his slave that he may have his freedom, if he will pay him a certain sum. The slave works for it. Night and day he works that he may elude the boot. It is life to him—life for him. After years of hard toil, he gets enough; he goes to his master he pays him the sum; he receives his free papers; and, starting off, a freeman for a Free State, he settles in Detroit.

This Fugitive Slave law passes.

The Tennessee master reads it. He needs money. He can make a speculation. He knows where his former slave lives, and he determines to have him. He goes to Detroit, seizes him, swears him to be his slave. The poor fellow swears to his master—"I bought my freedom. You know I did. I paid you dollar by dollar for it, earned by years of sweat and hard labor." The master laughs at him. The freed slave turns to the court, and pleads—"I have free papers—here they are;—pleads of my freedom—here it is." The commissioner says—"I cannot help you—this is no proof under the law. I cannot receive it. I must deliver you up to the claimant."

This is the Detroit case. Could human atrocity do more, and shall it be countenanced? Must we mask this monstrous outrage?

[Clev. Democrat.]

The Fugitive Slave.

By MISS ANNA G. T. PHILLIPS.

Surrender the slave?
No, never, by God!
He stands by the brave
On freedom's own soil.
His sword is a star
By Heaven's decree—
A bondman no more—
Like us he is free!

Surrender him—why?
That he may go back
With one who'll apply
The lash to his back—
That he may once more
Be fetter'd with chains,
And welter in gore,
And suffer with pains!

Surrender him, No!
Though myriad oppose,
Through weal and through woe
We'll challenge his foe!
He sounds the alarm!
We answer the call;
We'll shield him from harm,
Whatever befall.

Surrender the slave?
No, never, by God!
He stands by the brave
On freedom's own soil.
His sword is a star
By Heaven's decree—
A bondman no more,
A freeman is he.

The Fugitive Slave Bill.

Sec. 1. That persons who have been, or may hereafter be appointed Commissioners in virtue of any act of congress by the circuit courts of the United States, and who in consequence of such appointments, are authorized to exercise the powers that any justice of the peace or other magistrate of any of the United States may exercise in respect to offenders for any crime or offense against the United States, by arresting, imprisoning, or bailing the same under and by virtue of the thirty-third section of the act of the twenty-fourth of September, seventeen hundred and eighty-nine, entitled "An act to establish judicial courts of the United States," shall be and are hereby authorized and required to exercise and discharge all the powers and duties conferred by this act.

Sec. 2. And be it further enacted, That the superior court of each organized territory of the United States shall have the same power to appoint commissioners to take acknowledgments of bail and affidavits, and to take depositions of witnesses in civil causes of which no power is possessed by the circuit courts of the United States; and all commissioners who shall be appointed for such purposes by the superior court of any organized territory of the United States, shall possess all the powers and exercise all the duties conferred by law upon the commissioner appointed by the circuit courts of the United States for similar purposes, and moreover exercise and discharge all the powers and duties conferred by this act.

Sec. 3. And be it further enacted, That the circuit courts of the United States and the superior courts of each organized territory of the United States, shall, from time to time, enlarge the number of commissioners with a view to afford reasonable facilities to reclaim fugitives from labor, and to the prompt discharge of the duties imposed by this act.

Sec. 4. And be it further enacted, That the commissioners above named shall have concurrent jurisdiction with the judges of the circuit and district courts of the United States, in their respective circuits and districts within the several States, and the judges of the superior courts of the territories, severally and collectively, in all cases arising under and in pursuance of this act, and shall grant certificates to such claimants, upon satisfactory proof being made, with authority to take and remove such fugitives from service or labor, under the restriction herein contained, to the state or territory from which such persons may have escaped or fled.

Sec. 5. And be it further enacted, That it shall be the duty of all marshals and deputy marshals to obey and execute all warrants and precepts issued under the provisions of this act, when to them directed; and should any marshal or deputy marshal refuse to receive such warrant or other process, when tendered, or to take proper steps to comply with the same, he shall on conviction thereof, be fined in the sum of one thousand dollars to the use of such claimant, on the motion of such claimant, by the circuit or district court of such claimant; and after arrest of such fugitive by such marshal or his deputy, or whilst at any time in his custody under the provisions of this act, should such fugitive escape, whether with or without the consent of such marshal or his deputy, such marshal shall be liable on his official bond to be prosecuted for the benefit of such claimant, for the full value of the service or labor of said fugitive in the state, territory or foreign country to which he is removed, to enable the said claimant to recover the value of such fugitive; and should any marshal or deputy marshal refuse to receive such warrant or other process, when tendered, or to take proper steps to comply with the same, he shall on conviction thereof, be fined in the sum of one thousand dollars to the use of such claimant, on the motion of such claimant, by the circuit or district court of such claimant; and after arrest of such fugitive by such marshal or his deputy, or whilst at any time in his custody under the provisions of this act, should such fugitive escape, whether with or without the consent of such marshal or his deputy, such marshal shall be liable on his official bond to be prosecuted for the benefit of such claimant, for the full value of the service or labor of said fugitive in the state, territory or foreign country to which he is removed, to enable the said claimant to recover the value of such fugitive; and should any marshal or deputy marshal refuse to receive such warrant or other process, when tendered, or to take proper steps to comply with the same, he shall on conviction thereof, be fined in the sum of one thousand dollars to the use of such claimant, on the motion of such claimant, by the circuit or district court of such claimant; and after arrest of such fugitive by such marshal or his deputy, or whilst at any time in his custody under the provisions of this act, should such fugitive escape, whether with or without the consent of such marshal or his deputy, such marshal shall be liable on his official bond to be prosecuted for the benefit of such claimant, for the full value of the service or labor of said fugitive in the state, territory or foreign country to which he is removed, to enable the said claimant to recover the value of such fugitive.

Sec. 6. And be it further enacted, That upon the affidavit made by the claimant of such fugitive, his agent or attorney, after such certificate has been issued, that he has reason to apprehend that such fugitive will be rescued by force from his or their possession before he can be taken beyond the limits of the state in which the arrest is made, it shall be the duty of the officer making the arrest to retain such fugitive in his custody, and to remove him to the state whence he fled, and there to deliver him to his claimant, his agent or attorney. And to this end, the officer aforesaid is hereby authorized and required to employ so many persons as he may deem necessary to overcome such force, and to retain either of them in his service so long as circumstances may require. The said officer and his assistants, while so employed, to receive the same compensation, and to be allowed the same expenses as are now allowed by law for the transportation of criminals, to be certified by the judge of the district within which the arrest is made, and paid out of the treasury of the United States.

Sec. 7. And be it further enacted, That when any person held to service or labor in any state or territory of the United States, has heretofore or shall hereafter escape into another state or territory of the United States, the person or persons to whom such labor may be due, or his, her, or their agent or attorney, in writing acknowledged and certified under the seal of some legal officer or court of the territory in which the same may be executed, may pursue and reclaim such fugitive person, either by procuring a warrant from some one of the courts, judges or commissioners aforesaid, of the proper circuit, district, or county for the apprehension of such fugitive from service or labor, or by seizing and arresting such fugitive from service or labor, where the same may be done without process, and by taking, or causing such person to be taken, forthwith before such court, judge or commissioner, whose duty it shall be to hear and determine the case of such claimant in a summary manner; and upon satisfactory proof being made by deposition or affidavit in writing, to be taken and certified by such court, judge or commissioner, or by other satisfactory testimony, duly taken and certified by some court, magistrate, justice of the peace, or other legal officer, authorized to administer an oath and take depositions under the law of the state or territory from which such person owing service or labor

may have escaped, with a certificate of such magistracy or other authority, as aforesaid, with the seal of the proper court or office thereto attached, which seal shall be sufficient to establish the competency of the proof and with proof also by affidavit, of the identity of the person whose service of labor is said to be due as aforesaid, that the person so arrested does in fact owe service or labor to the person or persons claiming him, or her in the state or territory from which such fugitive may have escaped, to make out and deliver to such claimant, his or her agent or attorney, a certificate setting forth substantial facts as to the service or labor due from such fugitive or claimant, and of his or her escape from the state or territory in which such service or labor was due, to the state or territory in which he or she was arrested with authority to such claimant or his or her agent or attorney, to use such reasonable force or restraint as may be necessary, under the circumstances of the case, to take and remove such fugitive person back to the state or territory from whence he or she may have escaped as aforesaid. In no trial or hearing under this act shall the testimony of such alleged fugitive be admitted in evidence, and the certificates in this and the first section mentioned shall be conclusive of the right of the person or persons in whose favor granted, to remove such fugitive to the state or territory from which he escaped, and shall prevent all molestation of said person or persons by any process issued by any court, judge, magistrate, or other person whatsoever.

Sec. 7. And be it further enacted, That any person who shall knowingly or willingly obstruct, hinder, or prevent such claimant, his agent or attorney, or any person or persons, lawfully assisting him, her or them, from arresting such a fugitive from service or labor, from the custody of such claimant, his or her agent or attorney, or other person or persons lawfully assisting as aforesaid when so arrested, pursuant to the authority herein given and declared; or shall aid, abet, or assist in such obstruction, hindrance, or prevention, by any process issued by any court, judge, magistrate, or other person whatsoever, shall be liable to a fine not exceeding one thousand dollars, and imprisonment not exceeding six months, by indictment and conviction before the district court of the United States, for the district in which the offense may have been committed, or before the proper court of criminal jurisdiction if committed within any one of the organized territories of the United States; and shall, moreover forfeit and pay by way of civil damages to the party suffering by such illegal conduct the sum of one thousand dollars for each fugitive so lost, as aforesaid, to be recovered by action for debt, in any of the district or territorial courts aforesaid, within the jurisdiction of the said offense may have been committed.

Sec. 8. And be it further enacted, That the marshals, their deputies, and the clerks of the said district and territorial courts, shall be paid for their services the like fees as may be allowed to them for similar services in other cases; and where such services are rendered exclusively in the arrest, custody and delivery of the fugitive to the claimant, his or her agent or attorney, or where such supposed fugitive may be discharged out of custody for the want of sufficient proof as aforesaid, then such fees are to be paid in the whole by such claimant, his agent or attorney; and in all cases where the proceedings are before a commissioner, he shall be entitled to a fee of ten dollars in full for his services in each case, upon the delivery of the said certificate to the claimant, his or her agent or attorney; or a fee of five dollars in cases where the proof shall not be in the opinion of such commissioners, warrant such certificate and delivery, inclusive of all services incident to such arrest and examination, to be paid, in either case, by the claimant, his or her attorney. The person or persons authorized to execute the process to be issued by such commissioners for the arrest and detention of fugitives from service or labor, as aforesaid, shall also be entitled to a fee of five dollars each for said person he or they may arrest and take before any such court, upon the delivery of the said certificate and request of such claimant, with such other fees as may be deemed reasonable by such commissioner for such additional services as may be necessarily performed by him or them; such as attending at the examination, keeping the fugitive in custody during his detention, and until the final determination of such commissioner; and in general for performing such other duties as may be required by such claimant, his or her attorney or agent, or commissioner in the premises, such fees usually charged by the officers of the courts of justice within the district of the country, as near as may be practicable, and paid by such claimants their agent or attorney, whether such fugitives from service or labor, be ordered to be delivered to such claimants by the final determination of such commissioners or not.

Sec. 9. And be it further enacted, That upon the affidavit made by the claimant of such fugitive, his agent or attorney, after such certificate has been issued, that he has reason to apprehend that such fugitive will be rescued by force from his or their possession before he can be taken beyond the limits of the state in which the arrest is made, it shall be the duty of the officer making the arrest to retain such fugitive in his custody, and to remove him to the state whence he fled, and there to deliver him to his claimant, his agent or attorney. And to this end, the officer aforesaid is hereby authorized and required to employ so many persons as he may deem necessary to overcome such force, and to retain either of them in his service so long as circumstances may require. The said officer and his assistants, while so employed, to receive the same compensation, and to be allowed the same expenses as are now allowed by law for the transportation of criminals, to be certified by the judge of the district within which the arrest is made, and paid out of the treasury of the United States.

Sec. 10. And be it further enacted, That when any person held to service or labor in any state or territory of the United States, has heretofore or shall hereafter escape into another state or territory of the United States, the person or persons to whom such labor may be due, or his, her, or their agent or attorney, in writing acknowledged and certified under the seal of some legal officer or court of the territory in which the same may be executed, may pursue and reclaim such fugitive person, either by procuring a warrant from some one of the courts, judges or commissioners aforesaid, of the proper circuit, district, or county for the apprehension of such fugitive from service or labor, or by seizing and arresting such fugitive from service or labor, where the same may be done without process, and by taking, or causing such person to be taken, forthwith before such court, judge or commissioner, whose duty it shall be to hear and determine the case of such claimant in a summary manner; and upon satisfactory proof being made by deposition or affidavit in writing, to be taken and certified by such court, judge or commissioner, or by other satisfactory testimony, duly taken and certified by some court, magistrate, justice of the peace, or other legal officer, authorized to administer an oath and take depositions under the law of the state or territory from which such person owing service or labor

may have escaped, with a certificate of such magistracy or other authority, as aforesaid, with the seal of the proper court or office thereto attached, which seal shall be sufficient to establish the competency of the proof and with proof also by affidavit, of the identity of the person whose service of labor is said to be due as aforesaid, that the person so arrested does in fact owe service or labor to the person or persons claiming him, or her in the state or territory from which such fugitive may have escaped, to make out and deliver to such claimant, his or her agent or attorney, a certificate setting forth substantial facts as to the service or labor due from such fugitive or claimant, and of his or her escape from the state or territory in which such service or labor was due, to the state or territory in which he or she was arrested with authority to such claimant or his or her agent or attorney, to use such reasonable force or restraint as may be necessary, under the circumstances of the case, to take and remove such fugitive person back to the state or territory from whence he or she may have escaped as aforesaid. In no trial or hearing under this act shall the testimony of such alleged fugitive be admitted in evidence, and the certificates in this and the first section mentioned shall be conclusive of the right of the person or persons in whose favor granted, to remove such fugitive to the state or territory from which he escaped, and shall prevent all molestation of said person or persons by any process issued by any court, judge, magistrate, or other person whatsoever.

Sec. 11. And be it further enacted, That any person who shall knowingly or willingly obstruct, hinder, or prevent such claimant, his agent or attorney, or any person or persons, lawfully assisting him, her or them, from arresting such a fugitive from service or labor, from the custody of such claimant, his or her agent or attorney, or other person or persons lawfully assisting as aforesaid when so arrested, pursuant to the authority herein given and declared; or shall aid, abet, or assist in such obstruction, hindrance, or prevention, by any process issued by any court, judge, magistrate, or other person whatsoever, shall be liable to a fine not exceeding one thousand dollars, and imprisonment not exceeding six months, by indictment and conviction before the district court of the United States, for the district in which the offense may have been committed, or before the proper court of criminal jurisdiction if committed within any one of the organized territories of the United States; and shall, moreover forfeit and pay by way of civil damages to the party suffering by such illegal conduct the sum of one thousand dollars for each fugitive so lost, as aforesaid, to be recovered by action for debt, in any of the district or territorial courts aforesaid, within the jurisdiction of the said offense may have been committed.

Sec. 12. And be it further enacted, That the marshals, their deputies, and the clerks of the said district and territorial courts, shall be paid for their services the like fees as may be allowed to them for similar services in other cases; and where such services are rendered exclusively in the arrest, custody and delivery of the fugitive to the claimant, his or her agent or attorney, or where such supposed fugitive may be discharged out of custody for the want of sufficient proof as aforesaid, then such fees are to be paid in the whole by such claimant, his agent or attorney; and in all cases where the proceedings are before a commissioner, he shall be entitled to a fee of ten dollars in full for his services in each case, upon the delivery of the said certificate to the claimant, his or her agent or attorney; or a fee of five dollars in cases where the proof shall not be in the opinion of such commissioners, warrant such certificate and delivery, inclusive of all services incident to such arrest and examination, to be paid, in either case, by the claimant, his or her attorney. The person or persons authorized to execute the process to be issued by such commissioners for the arrest and detention of fugitives from service or labor, as aforesaid, shall also be entitled to a fee of five dollars each for said person he or they may arrest and take before any such court, upon the delivery of the said certificate and request of such claimant, with such other fees as may be deemed reasonable by such commissioner for such additional services as may be necessarily performed by him or them; such as attending at the examination, keeping the fugitive in custody during his detention, and until the final determination of such commissioner; and in general for performing such other duties as may be required by such claimant, his or her attorney or agent, or commissioner in the premises, such fees usually charged by the officers of the courts of justice within the district of the country, as near as may be practicable, and paid by such claimants their agent or attorney, whether such fugitives from service or labor, be ordered to be delivered to such claimants by the final determination of such commissioners or not.

Sec. 13. And be it further enacted, That upon the affidavit made by the claimant of such fugitive, his agent or attorney, after such certificate has been issued, that he has reason to apprehend that such fugitive will be rescued by force from his or their possession before he can be taken beyond the limits of the state in which the arrest is made, it shall be the duty of the officer making the arrest to retain such fugitive in his custody, and to remove him to the state whence he fled, and there to deliver him to his claimant, his agent or attorney. And to this end, the officer aforesaid is hereby authorized and required to employ so many persons as he may deem necessary to overcome such force, and to retain either of them in his service so long as circumstances may require. The said officer and his assistants, while so employed, to receive the same compensation, and to be allowed the same expenses as are now allowed by law for the transportation of criminals, to be certified by the judge of the district within which the arrest is made, and paid out of the treasury of the United States.

Sec. 14. And be it further enacted, That when any person held to service or labor in any state or territory of the United States, has heretofore or shall hereafter escape into another state or territory of the United States, the person or persons to whom such labor may be due, or his, her, or their agent or attorney, in writing acknowledged and certified under the seal of some legal officer or court of the territory in which the same may be executed, may pursue and reclaim such fugitive person, either by procuring a warrant from some one of the courts, judges or commissioners aforesaid, of the proper circuit, district, or county for the apprehension of such fugitive from service or labor, or by seizing and arresting such fugitive from service or labor, where the same may be done without process, and by taking, or causing such person to be taken, forthwith before such court, judge or commissioner, whose duty it shall be to hear and determine the case of such claimant in a summary manner; and upon satisfactory proof being made by deposition or affidavit in writing, to be taken and certified by such court, judge or commissioner, or by other satisfactory testimony, duly taken and certified by some court, magistrate, justice of the peace, or other legal officer, authorized to administer an oath and take depositions under the law of the state or territory from which such person owing service or labor

may have escaped, with a certificate of such magistracy or other authority, as aforesaid, with the seal of the proper court or office thereto attached, which seal shall be sufficient to establish the competency of the proof and with proof also by affidavit, of the identity of the person whose service of labor is said to be due as aforesaid, that the person so arrested does in fact owe service or labor to the person or persons claiming him, or her in the state or territory from which such fugitive may have escaped, to make out and deliver to such claimant, his or her agent or attorney, a certificate setting forth substantial facts as to the service or labor due from such fugitive or claimant, and of his or her escape from the state or territory in which such service or labor was due, to the state or territory in which he or she was arrested with authority to such claimant or his or her agent or attorney, to use such reasonable force or restraint as may be necessary, under the circumstances of the case, to take and remove such fugitive person back to the state or territory from whence he or she may have escaped as aforesaid. In no trial or hearing under this act shall the testimony of such alleged fugitive be admitted in evidence, and the certificates in this and the first section mentioned shall be conclusive of the right of the person or persons in whose favor granted, to remove such fugitive to the state or territory from which he escaped, and shall prevent all molestation of said person or persons by any process issued by any court, judge, magistrate, or other person whatsoever.

Sec. 15. And be it further enacted, That any person who shall knowingly or willingly obstruct, hinder, or prevent such claimant, his agent or attorney, or any person or persons, lawfully assisting him, her or them, from arresting such a fugitive from service or labor, from the custody of such claimant, his or her agent or attorney, or other person or persons lawfully assisting as aforesaid when so arrested, pursuant to the authority herein given and declared; or shall aid, abet, or assist in such obstruction, hindrance, or prevention, by any process issued by any court, judge, magistrate, or other person whatsoever, shall be liable to a fine not exceeding one thousand dollars, and imprisonment not exceeding six months, by indictment and conviction before the district court of the United States, for the district in which the offense may have been committed, or before the proper court of criminal jurisdiction if committed within any one of the organized territories of the United States; and shall, moreover forfeit and pay by way of civil damages to the party suffering by such illegal conduct the sum of one thousand dollars for each fugitive so lost, as aforesaid, to be recovered by action for debt, in any of the district or territorial courts aforesaid, within the jurisdiction of the said offense may have been committed.

Sec. 16. And be it further enacted, That the marshals, their deputies, and the clerks of the said district and territorial courts, shall be paid for their services the like fees as may be allowed to them for similar services in other cases; and where such services are rendered exclusively in the arrest, custody and delivery of the fugitive to the claimant, his or her agent or attorney, or where such supposed fugitive may be discharged out of custody for the want of sufficient proof as aforesaid, then such fees are to be paid in the whole by such claimant, his agent or attorney; and in all cases where the proceedings are before a commissioner, he shall be entitled to a fee of ten dollars in full for his services in each case, upon the delivery of the said certificate to the claimant, his or her agent or attorney; or a fee of five dollars in cases where the proof shall not be in the opinion of such commissioners, warrant such certificate and delivery, inclusive of all services incident to such arrest and examination, to be paid, in either case, by the claimant, his or her attorney. The person or persons authorized to execute the process to be issued by such commissioners for the arrest and detention of fugitives from service or labor, as aforesaid, shall also be entitled to a fee of five dollars each for said person he or they may arrest and take before any such court, upon the delivery of the said certificate and request of such claimant, with such other fees as may be deemed reasonable by such commissioner for such additional services as may be necessarily performed by him or them; such as attending at the examination, keeping the fugitive in custody during his detention, and until the final determination of such commissioner; and in general for performing such other duties as may be required by such claimant, his or her attorney or agent, or commissioner in the premises, such fees usually charged by the officers of the courts of justice within the district of the country, as near as may be practicable, and paid by such claimants their agent or attorney, whether such fugitives from service or labor, be ordered to be delivered to such claimants by the final determination of such commissioners or not.

Sec. 17. And be it further enacted, That upon the affidavit made by the claimant of such fugitive, his agent or attorney, after such certificate has been issued, that he has reason to apprehend that such fugitive will be rescued by force from his or their possession before he can be taken beyond the limits of the state in which the arrest is made, it shall be the duty of the officer making the arrest to retain such fugitive in his custody, and to remove him to the state whence he fled, and there to deliver him to his claimant, his agent or attorney. And to this end, the officer aforesaid is hereby authorized and required to employ so many persons as he may deem necessary to overcome such force, and to retain either of them in his service so long as circumstances may require. The said officer and his assistants, while so employed, to receive the same compensation, and to be allowed the same expenses as are now allowed by law for the transportation of criminals, to be certified by the judge of the district within which the arrest is made, and paid out of the treasury of the United States.

Sec. 18. And be it further enacted, That when any person held to service or labor in any state or territory of the United States, has heretofore or shall hereafter escape into another state or territory of the United States, the person or persons to whom such labor may be due, or his, her, or their agent or attorney, in writing acknowledged and certified under the seal of some legal officer or court of the territory in which the same may be executed, may pursue and reclaim such fugitive person, either by procuring a warrant from some one of the courts, judges or commissioners aforesaid, of the proper circuit, district, or county for the apprehension of such fugitive from service or labor, or by seizing and arresting such fugitive from service or labor, where the same may be done without process, and by taking, or causing such person to be taken, forthwith before such court, judge or commissioner, whose duty it shall be to hear and determine the case of such claimant in a summary manner; and upon satisfactory proof being made by deposition or affidavit in writing, to be taken and certified by such court, judge or commissioner, or by other satisfactory testimony, duly taken and certified by some court, magistrate, justice of the peace, or other legal officer, authorized to administer an oath and take depositions under the law of the state or territory from which such person owing service or labor

may have escaped, with a certificate of such magistracy or other authority, as aforesaid, with the seal of the proper court or office thereto attached, which seal shall be sufficient to establish the competency of the proof and with proof also by affidavit, of the identity of the person whose service of labor is said to be due as aforesaid, that the person so arrested does in fact owe service or labor to the person or persons claiming him, or her in the state or territory from which such fugitive may have escaped, to make out and deliver to such claimant, his or her agent or attorney, a certificate setting forth substantial facts as to the service or labor due from such fugitive or claimant, and of his or her escape from the state or territory in which such service or labor was due, to the state or territory in which he or she was arrested with authority to such claimant or his or her agent or attorney, to use such reasonable force or restraint as may be necessary, under the circumstances of the case, to take and remove such fugitive person back to the state or territory from whence he or she may have escaped as aforesaid. In no trial or hearing under this act shall the testimony of such alleged fugitive be admitted in evidence, and the certificates in this and the first section mentioned shall be conclusive of the right of the person or persons in whose favor granted, to remove such fugitive to the state or territory from which he escaped, and shall prevent all molestation of said person or persons by any process issued by any court, judge, magistrate, or other person whatsoever.

Sec. 19. And be it further enacted, That any person who shall knowingly or willingly obstruct, hinder, or prevent such claimant, his agent or attorney, or any person or persons, lawfully assisting him, her or them, from arresting such a fugitive from service or labor, from the custody of such claimant, his or her agent or attorney, or other person or persons lawfully assisting as aforesaid when so arrested, pursuant to the authority herein given and declared; or shall aid, abet, or assist in such obstruction, hindrance, or prevention, by any process issued by any court, judge, magistrate, or other person whatsoever, shall be liable to a fine not exceeding one thousand dollars, and imprisonment not exceeding six months, by indictment and conviction before the district court of the United States, for the district in which the offense may have been committed, or before the proper court of criminal jurisdiction if committed within any one of the organized territories of the United States; and shall, moreover forfeit and pay by way of civil damages to the party suffering by such illegal conduct the sum of one thousand dollars for each fugitive so lost, as aforesaid, to be recovered by action for debt, in any of the district or territorial courts aforesaid, within the jurisdiction of the said offense may have been committed.

Sec. 20. And be it further enacted, That the marshals, their deputies, and the clerks of the said district and territorial courts, shall be paid for their services the like fees as may be allowed to them for similar services in other cases; and where such services are rendered exclusively in the arrest, custody and delivery of the fugitive to the claimant, his or her agent or attorney, or where such supposed fugitive may be discharged out of custody for the want of sufficient proof as aforesaid, then such fees are to be paid in the whole by such claimant, his agent or attorney; and in all cases where the proceedings are before a commissioner, he shall be entitled to a fee of ten dollars in full for his services in each case, upon the delivery of the said certificate to the claimant, his or her agent or attorney; or a fee of five dollars in cases where the proof shall not be in the opinion of such commissioners, warrant such certificate and delivery, inclusive of all services incident to such arrest and examination, to be paid, in either case, by the claimant, his or her attorney. The person or persons authorized to execute the process to be issued by such commissioners for the arrest and detention of fugitives from service or labor, as aforesaid, shall also be entitled to a fee of five dollars each for said person he or they may arrest and take before any such court, upon the delivery of the said certificate and request of such claimant, with such other fees as may be deemed reasonable by such commissioner for such additional services as may be necessarily performed by him or them; such as attending at the examination, keeping the fugitive in custody during his detention, and until the final determination of such commissioner; and in general for performing such other duties as may be required by such claimant, his or her attorney or agent, or commissioner in the premises, such fees usually charged by the officers of the courts of justice within the district of the country, as near as may be practicable, and paid by such claimants their agent or attorney, whether such fugitives from service or labor, be ordered to be delivered to such claimants by the final determination of such commissioners or not.

Sec. 21. And be it further enacted, That upon the affidavit made by the claimant of such fugitive, his agent or attorney, after such certificate has been issued, that he has reason to apprehend that such fugitive will be rescued by force from his or their possession before he can be taken beyond the limits of the state in which the arrest is made, it shall be the duty of the officer making the arrest to retain such fugitive in his custody, and to remove him to the state whence he fled, and there to deliver him to his claimant, his agent or attorney. And to this end, the officer aforesaid is hereby authorized and required to employ so many persons as he may deem necessary to overcome such force, and to retain either of them in his service so long as circumstances may require. The said officer and his assistants, while so employed, to receive the same compensation, and to be allowed the same expenses as are now allowed by law for the transportation of criminals, to be certified by the judge of the district within which the arrest is made, and paid out of the treasury of the United States.

ing is due to the party in such record mentioned. And upon the production by said party of other and further evidence, if necessary, either oral or by affidavit, in addition to what is contained in the said record of the identity of person escaping, he shall be delivered up to the claimant. And the said court commissioner, judge, or other person authorized by this act to grant certificates to claimants of fugitives, shall upon the production of the record and other evidence aforesaid, grant to such claimant a certificate of his right to take any such person identified and proved to be owing service or labor as aforesaid, which certificate shall authorize such claimant to seize or arrest and transport such person to the state or territory from which he escaped. Provided:

That nothing herein contained shall be construed as requiring the production of a transcript of such record as evidence as aforesaid. But in its absence the claim shall be heard and determined upon other satisfactory proofs, competent in law.

Approved Sept. 18, 1850.

THE FREEMAN:

FREMONT, OHIO.

J. S. FOUKE, Editor.

SATURDAY, OCTOBER 19, 1850.

The Bakers

Gave a concert in our place, on Thursday evening last to a densely crowded audience. We feel warranted in saying that they gave universal satisfaction. They went west from this place. The Toledons have a rich treat in store for them on Monday and Tuesday evenings next.

We hope our friends will excuse us on the score of editorial, as we have had to do the work from the "devil" down, for some time past. But we are anxiously anticipating a release in "that good time coming"—"wait a little longer."

We had hoped to give the names of the members elect to the next Ohio Legislature, in our paper of to-day but we are unable to do so, not having seen a complete list.

Bounty Lands.

C. Edgerton and S. Crowell, Esqrs., of this place, offer their services to those who are entitled to lands, by the late act of Congress. See advertisements.

We shall publish next week the manner of proceeding in this matter, that it may appear plain, and be understood by all.

The Illustrated Domestic Bible.

Number seven of this beautiful and valuable work is now on our table. It has the recommendations of some of the most talented and distinguished divines both in Europe and America. It is published on the 1st and 15th of the month and will be completed in 25 numbers at 25 cents per number. We would say to those who want a nice family Bible, you cannot do better than to subscribe for this one.

Subscribers who do not wish this work in Numbers, and would like to have it bound when completed, can have it delivered to them, in the various bindings, at the annexed prices: In Sheep, Library style, \$7.00
In Half Cal, neat, 7.50
In English calf Morocco, Marbled edges, 8.75
In Morocco, extra gilt edges, 10.50

We have made such arrangements that those who wish to take it in numbers as fast as it is published, can have the whole work for \$5.00 payable in advance.

Specimen numbers can be seen at this office.

I. M. KEELER, Agent.

Notices.

Peterson's Notional Magazine for November has come to hand, it is rich in engravings, and with such names as Peterson, Mrs. Stephens, Miss Ashton, and others as contributors, it will certainly be sought after and read.

Published by C. J. Peterson No. 98 Chestnut street, Philadelphia.

Wellman's Miscellany for October has been received. We commend this work to western people; published by J. K. Wellman, Detroit, Michigan, at \$1 per year.

Sartain's Union Magazine for November, is on our table. Sartain is bound to make some show among the literature of the day. In our estimation the Union Magazine comes next in